

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)



In Re:

JOHN DELGADO, AND KATHY A. DELGADO
Debtors.

Case No.: 14-31677 (SLM)

Chapter: 13

Hearing Date: September 13, 2017

Judge: Stacey L. Meisel

**Order Filed on September 22,
2017 by Clerk, U.S. Bankruptcy
Court - District of New Jersey**

JOHN DELGADO, AND KATHY A. DELGADO
Plaintiffs.

v.
RUSSELL KELLEY, AND KAREN KELLEY
Defendants.

Adv. No.: 16-01051(SLM)

RUSSELL KELLEY, AND KAREN KELLEY
Third Party Plaintiff.

v.
SPECIAL TREATS, LLC, JOHN DOES 1-100, AND
ABC CORP. 1-100
Third Party Defendants.

ORDER DENYING MOTION WITHOUT PREJUDICE

The relief set forth on the following pages, numbered two (2) through (2) is
ORDERED.

DATED: September 22, 2017

A handwritten signature in black ink, appearing to read "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: John Delgado and Kathy A. Delgado

Case No.: 14-31677 (SLM)

Caption of Order: Order Denying Motion Without Prejudice

THIS MATTER having been brought before the Court on a Motion to Enforce Settlement Agreement and Authorize Recording of the Lien (Docket No. 63) (“**Motion**”) by Russell and Karen Kelley, this Court finds:

WHEREAS the Motion is deficient for the following reason(s):

- Failure to use required Local Forms.** *See D.N.J. LBR 9009-1.*
- Failure to follow the requirements of Local Rule 9013-1, specifically:**
 - Failure to submit a notice of motion stating the date, time, and place of the hearing.** *See D.N.J. LBR 9013-1(a)(1).*
 - Failure to submit a certification containing the facts supporting the relief requested in compliance with D.N.J. LBR 7007-1.** *See D.N.J. LBR 9013-1(a)(2).*
 - Failure to submit a memorandum of law stating the legal basis for the relief requested, or a statement why a memorandum of law is unnecessary.** *See D.N.J. LBR 9013-1(a)(3).*
 - Failure to submit a proposed form of order.** *See D.N.J. LBR 9013-4.*
 - Failure to file a certification of service.** *See D.N.J. LBR 9013-1(a)(5) and Local Form.*
- Failure to effectuate proper service.** *See D.N.J. LBR 5005-1, Fed. R. Bankr. P. 9014, and Fed. R. Bankr. P. 7004 as well as the Register of Governmental Units available on the Court’s website.*
- Other:** Although movant served debtor’s counsel, movant failed to serve debtor.

It is hereby

ORDERED that the Motion is DENIED, without prejudice.